

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

RONALD LANTON, *et al.*,

Case No. 3:15-cv-372

Plaintiffs,
vs.

OCWEN LOAN SERVICING, LLC, *et al.*,

District Judge Walter H. Rice
Magistrate Judge Michael J. Newman

Defendants.

ORDER

On August 16, 2016, the Court held an informal discovery conference at the request of counsel for Defendant U.S. National Bank Association, *et al.* Participating on the call were John Zervas, counsel for Plaintiffs; and Benjamin Carnahan, counsel for Defendants.

I. Discovery to be Produced

Five separate discovery production concerns were then raised, as follows. Defendants seek:

1. Clarification as to the harm they allegedly caused Plaintiffs and how that harm allegedly occurred.

Plaintiffs respond: They have answered this interrogatory with specificity and have no further information or documents in this regard.

Accordingly, the Court **ORDERS** Plaintiffs to so certify, in writing and within TEN (10) days of the issuance of this Order;

2. Copies of the contracts at issue.

Plaintiffs agree to produce these documents, subject to a Protective Order which counsel are currently preparing and will present to the Court forthwith.

The Court **ORDERS** such production to occur within TEN (10) days of the issuance of this Order. The Court **ALSO ORDERS** counsel for both sides to meet, confer, and move for a joint protective order (with an email of such proposed Protective Order to chambers (newman_chambers@ohsd.uscourts.gov)) by this Friday (August 19, 2016) at 2:00 P.M.;

3. Plaintiffs' financial records (including, but not limited to, profit/loss statements, income statements, credit reports, loan applications, and associated documentation).

Plaintiffs agree to produce this documentation as soon as the Protective Order is signed by the Court.

The Court **ORDERS** that such production shall occur within TEN (10) days of the Court's issuance of the Protective Order;

4. Documents regarding Blue Ocean Ambulette Services.

Plaintiffs agree to produce this documentation as soon as the Protective Order is signed by the Court.

The Court **ORDERS** that such production shall occur within TEN (10) days of the Court's issuance of the Protective Order; and

5. Documentation regarding one or more investment properties owned or operated by Plaintiffs (including, but not limited to, a property on Xenia Road).

Plaintiff's counsel advised that he will investigate this matter timely.

The Court **ORDERS** counsel to investigate this matter as represented, and **FURTHER ORDERS** that such investigation be completed and all such discovery be produced in response to this Interrogatory/Request for Production of Documents within TEN (10) days of the issuance of this Order.

With respect to this Order, no sanctions are awarded/assessed to either side.

The Court will reconvene with counsel, by telephone, to confirm that all discovery has been produced and/or responded to in conformance with this Order, on **September 2, 2016 at 2:30 P.M.** Counsel shall call 1-888-278-0296, enter access code 2725365, security code 123456, and wait for the Court to join the conference.

II. Amended Calendar Order

At the conclusion of the August 16th call, counsel for both sides agreed that, given the remaining discovery which needs to occur here -- and also because Plaintiffs' depositions cannot occur until after this discovery has been produced -- the September 20, 2016 Discovery Deadline will likely need to be amended, should the Court agree. The undersigned advised counsel they may file a Motion to Amend the Calendar for Judge Rice's consideration. Counsel advised the Court they anticipate filing such a joint motion in the next few days.

IT IS SO ORDERED.

Date: August 17, 2016

/s/ Michael J. Newman
Michael J. Newman
United States Magistrate Judge